

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

THIS DOCUMENT RELATES TO:

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|-----------------------------------|------------|
| <i>MAXWELL v. NFL, et al.</i> | 12-cv-1023 |
| <i>PEAR v. NFL, et al.</i> | 12-cv-1025 |
| <i>MONK v. NFL, et al.</i> | 12-cv-3533 |
| <i>HENDERSON v. NFL, et al.</i> | 12-cv-3534 |
| <i>KUECHENBERG v. NFL, et al.</i> | 12-cv-3535 |
| <i>BAUMAN v. NFL, et al.</i> | 12-cv-4576 |
| <i>BAILEY v. NFL, et al.</i> | 12-cv-5372 |
| <i>SWEET v. NFL, et al.</i> | 12-cv-7214 |
| <i>DUCKWORTH v. NFL</i> | 13-cv-4231 |
| <i>JANI v. NFL</i> | 14-cv-2064 |

Hon. Anita B. Brody

**RIDDELL DEFENDANTS' MOTION FOR LEAVE TO FILE SURREPLY
TO PLAINTIFFS' REPLY IN SUPPORT OF MOTION TO
SCHEDULE RULE 16 PRETRIAL CONFERENCE (ECF NO. 6776)**

Pursuant to Local Rule of Civil Procedure 7.1(c) and this Court's policies and procedures with respect to surreplies, the Riddell defendants¹ move for leave to file a short surreply to the plaintiffs' reply in support of their motion to schedule a Rule 16 pretrial conference (ECF No. 6776). A copy of the Riddell defendants' proposed surreply is attached as Exhibit 1.

The Riddell defendants are not seeking to re-argue the points they already raised in their prior response (ECF No. 6767). Rather, they seek leave to file a surreply only to correct a statement by the plaintiffs in their reply. Specifically, in their reply in support of their motion to schedule a Rule 16 conference, the plaintiffs incorrectly assert that "Riddell previously argued that the Plaintiffs' claims against them should be pursued separately from the Plaintiffs' claims

¹ Collectively, defendants Riddell, Inc., All-American Sports Corporation, Riddell Sports Group, Inc., Easton-Bell Sports, Inc., Easton-Bell Sports, LLC, EB Sports Corp., and RBG Holdings Corp.

against the NFL”² As explained in the Riddell defendants’ accompanying proposed surreply, at no point during this litigation have the Riddell defendants requested that the claims against them be heard separately from those against the NFL. Rather, the Riddell defendants moved to sever the plaintiffs’ misjoined claims from each other. The Riddell defendants request leave to file a short surreply solely addressing this mischaracterization of their motion.

For these reasons, the Riddell defendants respectfully ask the Court to grant them leave to file the two-page surreply attached as Exhibit 1.

Respectfully Submitted,

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² (Pls.’ Reply (ECF No. 6776) at 2.)

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CERTIFICATE OF SERVICE

The undersigned certifies that this document was electronically filed and served via ECF on all counsel of record registered to receive service via the Court's ECF system.

/s/ Paul G. Cereghini_____